

EXHIBIT NO.

1

Definition

Convention on the Prevention and Punishment of the Crime of Genocide

Article II

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- a. Killing members of the group;*
- b. Causing serious bodily or mental harm to members of the group;*
- c. Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;*
- d. Imposing measures intended to prevent births within the group;*
- e. Forcibly transferring children of the group to another group.*

Elements of the crime

The popular understanding of what constitutes genocide tends to be broader than the content of the norm under international law. Article II of the Genocide Convention contains a narrow definition of the crime of genocide, which includes two main elements:

1. *A mental element:* the "intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such"; and
2. *A physical element*, which includes the following five acts, enumerated exhaustively:
 - Killing members of the group
 - Causing serious bodily or mental harm to members of the group
 - Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part
 - Imposing measures intended to prevent births within the group
 - Forcibly transferring children of the group to another group

Importantly, the Convention establishes on State Parties the obligation to take measures to prevent and to punish the crime of genocide, including by enacting relevant legislation and punishing perpetrators, "whether they are constitutionally responsible rulers, public officials or private individuals" (Article IV).

States' obligations under the Genocide Convention

- Obligation not to commit genocide (Article I as interpreted by the ICJ)

- Obligation to prevent genocide (Article I) which, according to the ICJ, has an extraterritorial scope;
- Obligation to punish genocide (Article I);
- Obligation to enact the necessary legislation to give effect to the provisions of the Convention (Article V);
- Obligation to ensure that effective penalties are provided for persons found guilty of criminal conduct according to the Convention (Article V);
- Obligation to try persons charged with genocide in a competent tribunal of the State in the territory of which the act was committed, or by an international penal tribunal with accepted jurisdiction (Article VI);
- Obligation to grant extradition when genocide charges are involved, in accordance with laws and treaties in force (Article VII), particularly related to protection granted by international human rights law prohibiting refoulment where there is a real risk of flagrant human rights violations in the receiving State.

International Day

EXHIBIT NO.

2

Who Does What in U.S. Immigration

DECEMBER 1, 2005 WWW.MIGRATIONPOLICY.ORG/ARTICLE-WHO-DOES-WHAT-US-IMMIGRATION

SPOTLIGHT

By Megan Davy, Deborah W. Meyers, and Jeanne Batalova

The United States has a long history of regulating and managing immigration, dating back to the 1860s. The U.S. Congress — the legislative branch of the federal government of the United States — develops and passes legislation, which the president signs into law, and federal agencies (executive branch) implement legislation.

The primary immigration law today is the Immigration and Nationality Act of 1952 (the INA). Most immigration-related legislation since then has amended various sections of the INA.

Among the most significant pieces of immigration-related legislation over the last two decades are the Immigration Reform and Control Act of 1986 (IRCA), the Immigration Act of 1990, the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), and the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA-Patriot Act).

Immigration legislation has also been embedded in other acts and bills. The REAL ID Act, which was passed as part of an emergency supplemental defense appropriation bill in 2005, includes provisions that bar undocumented immigrants from obtaining federally accepted drivers' licenses.

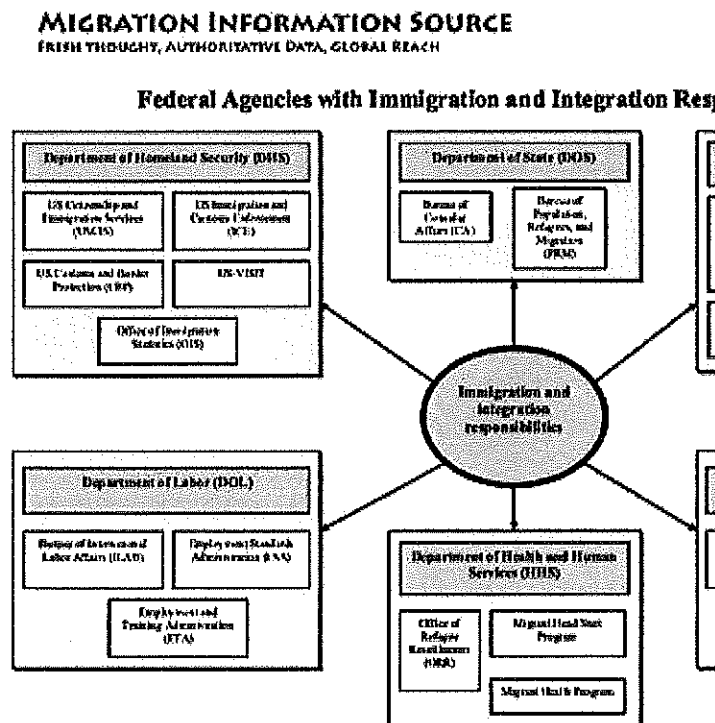
Over the last few years, there have been significant organizational changes in the structure of the agencies that oversee immigrant-related functions in the United States. The most substantial reorganization came as the result of the Homeland Security Act signed by President George W. Bush in November 2002.

According to this legislation, most of the policy and implementation functions of the former Immigration and Naturalization Service (INS),

which was abolished in March 2003, landed within one of three bureaus of the newly created Department of Homeland Security (DHS). The act also reassigned some responsibilities for visa policy and procedures from the Department of State (DOS), which previously had de facto jurisdiction over the entire visa process.

Nevertheless, as outlined below, a variety of other agencies have immigration-related functions, and some have immigrant integration-related responsibilities even though the United States has no formal integration policy or a dedicated agency for integration. Currently, no single agency or bureau develops immigration policy, coordinates the work, and assesses the effectiveness of various federal agencies in performing their immigration functions.

The diagram below depicts federal agencies that are responsible for implementing, supporting, and enforcing the immigration and integration laws made by the legislative branch. *Note: although these agencies have other functions as well, this Spotlight focuses only on those that relate to immigrants.*



[Click to see larger version](#)

Click on the name of the agency to read more about its immigration/integration components:

- [Department of Homeland Security \(DHS\)](#)
- [Department of State \(DOS\)](#)
- [Department of Justice \(DOJ\)](#)
- [Department of Labor \(DOL\)](#)
- [Department of Education \(ED\)](#)
- [Department of Health and Human Services \(HHS\)](#)

Department of Homeland Security (DHS)

- **U.S. Citizenship and Immigration Services (USCIS).** USCIS is responsible for providing immigration-related services such as processing immigrant and nonimmigrant benefits; adjudicating refugee, asylee, and naturalization petitions; and granting or denying work authorization.
- **U.S. Customs and Border Protection (CBP).** CBP is charged with securing U.S. borders at and between ports of entry and facilitating legitimate trade and travel. It includes Border Patrol agents, as well as inspectors enforcing immigration, customs, and agriculture laws.
- **U.S. Immigration and Customs Enforcement (ICE).** ICE handles the interior investigative and enforcement responsibilities of immigration and customs, including detention and deportation. ICE focuses on national security, financial, and smuggling violations to target the support behind terrorist and criminal activities.
- **US-VISIT.** This is a stand-alone program office responsible for implementing the program that uses biometric indicators to track the entry and exit of nonimmigrant visa holders at U.S. air, land, and sea ports of entry.
- **Office of Immigration Statistics (OIS).** OIS is responsible for developing, analyzing, and disseminating immigration-related statistical information, including the annual *Yearbook of Immigration Statistics*.

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Department of State (DOS)

- **Bureau of Population, Refugees, and Migration (PRM).** PRM is responsible for formulating policies on population, refugees, and migration, as well as administering U.S. refugee assistance and admission programs.

- **Bureau of Consular Affairs (CA):** CA interprets visa laws and regulations and serves as a liaison between the Department of State and overseas embassies and consulates on visa matters. Oversight of visa policy now rests within DHS. Consular officials issue visas and passports and provide services to U.S. citizens abroad.

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Department of Justice (DOJ)

- **Executive Office for Immigration Review (EOIR).** EOIR is responsible for adjudicating immigration cases and for the interpretation and administration of immigration law. Its components include:
- **Board of Immigration Appeals (BIA).** BIA is the highest administrative body for interpreting and applying immigration laws. It has nationwide jurisdiction and is responsible for hearing appeals of decisions rendered by immigration judges or DHS district directors.
- **Office of the Chief Immigration Judge (OCIJ).** This office is responsible for conducting formal court proceedings related to immigration cases. Their decisions are final unless sent to BIA.
- **Office of the Chief Administrative Hearing Officer (OCAHO).** OCAHO oversees the administrative law judges who adjudicate employer sanctions, document fraud, and IRCA-related discrimination cases.
- **Office of Immigration Litigation (OIL).** This office holds jurisdiction over all civil immigration litigation and is responsible for coordinating immigration matters before the federal district courts and circuit court of appeals.
- **Office of Special Counsel for Unfair Immigration-Related Employment Practices (OSC).** OSC investigates and prosecutes employment discrimination based on citizenship status, national origin, document abuse, or retaliation. It also engages in outreach and education regarding employer sanctions' antidiscrimination provisions.

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Department of Labor (DOL)

- **Bureau of International Labor Affairs (ILAB).** ILAB carries out DOL's international responsibilities by conducting research on economic, trade, immigration, and labor policies.
- **Employment Standards Administration (ESA).** ESA's Wage and Hour Division ensures compliance with minimum wage, overtime, and child

protection laws; the Migrant and Seasonal Agricultural Worker Protection Act; and the protections of temporary worker programs. It also conducts inspections of I-9 forms.

- **Employment and Training Administration (ETA).** Prior to an employer petitioning USCIS for a foreign-born worker, ETA's Office of Foreign Labor Certification must first certify that requirements for that visa classification have been met, such as attempted recruitment of U.S. workers and payment of specified wage levels.

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Department of Education (ED)

- **Office of English Language Acquisition, Language Enhancement, and Academic Achievement for Limited English Proficient Students (OELA).** OELA ensures that limited-English proficient children, including immigrants, attain English proficiency and meet the same standards as all other students.
- **Office of Migrant Education.** This office administers grant programs that provide academic and other services to the children of migrant workers whose parents work in the agricultural, fishing, and timber industries.
- **Office of Vocational and Adult Education (OVAE).** OVAE supports national research, evaluation, demonstration, technical assistance, and capacity building activities. Included in its program are adult literacy and the Center for Adult English Language Acquisition.

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Department of Health and Human Services (HHS)

- **Office of Refugee Resettlement (ORR).** ORR provides funds to states, public and private entities, and nonprofit voluntary agencies to assist refugees and asylees in resettling in the United States and attaining self-sufficiency. The office also recently was tasked with overseeing the care of unaccompanied minors.
- **Migrant Head Start Program.** The migrant component of this national program modifies delivery to meet the unique needs of migrant farm-worker families. The program provides services to low-income, preschool-age children and their families. Its goals are related to education, health, parental involvement, and social services.
- **Migrant Health Program.** This program under the Health Resources and Services Administration provides grants to community nonprofit

organizations for culturally and linguistically appropriate primary and preventive medical services for migrant and seasonal farm workers and their families.

EXHIBIT NO.

3

Soros-Funded Group Seeks to 'Turn Texas Blue' with Mass Immigration

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FABRICE COFFRINI/AFP via Getty Images

JOHN BINDER

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A political action committee (PAC), financially backed by billionaire George Soros, is looking to “turn Texas blue” this year as other left-wing groups have expressed increasing interest in turning the state blue with the help of mass immigration.

Texas Majority PAC, run by consultants who worked for Beto O'Rourke's failed gubernatorial campaign, is being partially funded by Soros, who has a net worth of \$6.7 billion and remains one of the biggest donors to Democrats in the United States.

According to records reviewed by the *Texas Tribune*, the group raised \$2.25 million since its inception after the 2022 midterm elections. In particular, through the group, Soros has thrown six-figure donations to Democrats in Dallas County, Cameron County, and Hidalgo County.

"We need millions of more dollars and hundreds of more full-time staff to do this," the group's deputy executive director Katherine Fischer told the *Texas Tribune*. "Texas Majority PAC works with partners across the state to create the conditions that will make flipping the state possible."

At the same time, the left-wing group Voto Latino has made it clear they are looking to turn Texas blue this year with mass immigration to the state.

In an op-ed for Democracy Docket, Voto Latino's CEO Maria Teresa Kumar urges Democrats to take advantage of the nation's historically high legal immigration levels, where more than a million legal immigrants are admitted every year, in upcoming elections:

The U.S. Census Bureau recently confirmed that Latinos now outnumber non-Hispanic whites in Texas. It's a demographic shift that has been years in the making, and **it has massive implications for the political future of the state** that we're only beginning to see. [Emphasis added]

To understand the political giant rising in Texas, it's important to know that the Latino population is disproportionately young. Nearly a quarter of young people under 18 in America are Latino, but the numbers are even starker in Texas. **More than 50% of all Texans 18 years and younger are Latino, and more than 800,000 Texas Latinos have come of voting age since 2020. These young people are the future of the electorate in the state,** and their potential political influence can't be underestimated. But it also can't be taken for granted. [Emphasis added]

In Texas, the state's foreign-born population is vital for Democrats.

In particular, Indian Americans increasingly make up a large portion of Texas's foreign-born population and are a huge voting bloc for Democrats akin to black Americans.

Research from October 2020 found that more than 452,000 Indian Americans now reside in Texas — only second to California with more than 815,000 Indian Americans.

Ahead of the 2020 presidential election, a whopping 65 percent of Indian Americans said they supported then-Democrat candidate Joe Biden against then-President Donald Trump. Meanwhile, Trump garnered support from fewer than 3-in-10 Indian Americans.

This month, Texas Gov. Greg Abbott (R) visited Mumbai, India, to recruit more India-based businesses to the state, which would bring even more immigration to the state from India.

Over the last few years, Democrats have set a goal of helping one million legal immigrants gain naturalized American citizenship in time for this year's presidential election in the hopes of swinging the electorate in favor of Democrats.

For years, research has consistently shown that the larger a region's foreign-born population, the more likely that region is to vote for Democrats over Republicans.

In 2019, for example, *The Atlantic*'s Ronald Brownstein found that nearly 90 percent of House congressional districts with a foreign-born population above the national average are won by Democrats. This means every congressional district with a foreign-born population exceeding 15 percent has a 90 percent chance of electing Democrats and only a 10 percent chance of electing Republicans.

The Washington Post, the *New York Times*, the *Atlantic*, *Axios*, the *Los Angeles Times*, and the *Wall Street Journal* have all admitted that rapid demographic changes spurred by mass immigration are tilting the nation toward a permanent Democrat political majority.

"The single biggest threat to Republicans' long-term viability is demographics," *Axios* reported in 2019. "The numbers simply do not lie ... there's not a single demographic megatrend that favors Republicans."

Already, the U.S. has the most generous immigration system in the world and is expected to import 15 million new foreign-born voters by 2044. About eight million of those voters will have arrived entirely due to the process known as "chain migration," whereby newly naturalized citizens can bring an unlimited number of foreign relatives to the U.S.

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EXHIBIT NO.

4

Human rhinoviruses and enteroviruses in influenza-like illness in Latin America

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Background

Human rhinoviruses (HRVs) belong to the *Picornaviridae* family with high similarity to human enteroviruses (HEVs). Limited data is available from Latin America regarding the clinical presentation and strains of these viruses in respiratory disease.

Methods

We collected nasopharyngeal swabs at clinics located in eight Latin American countries from 3,375 subjects aged 25 years or younger who presented with influenza-like illness.

Results

Our subjects had a median age of 3 years and a 1.2:1.0 male:female ratio. HRV was identified in 16% and HEV was identified in 3%. HRVs accounted for a higher frequency of isolates in those of younger age, in particular children < 1 years old. HRV-C accounted for 38% of all HRVs detected. Phylogenetic analysis revealed a high proportion of recombinant strains between HRV-A/HRV-C and between HEV-A/HEV-B. In addition, both EV-D68 and EV-A71 were identified.

Conclusions

In Latin America as in other regions, HRVs and HEVs account for a substantial proportion of respiratory viruses identified in young people with ILI, a finding that provides additional support for the development of pharmaceuticals and vaccines targeting these pathogens.

HRV and HEV in Central and South America

We collected 3,375 nasopharyngeal swabs from subjects with ILI symptoms from eight countries throughout Central and South America. We performed direct RT-PCR for HRVs and HEVs and sequenced all positive samples ($n = 632$) (Figure 1). Our subjects had a median age of 3 years, ranging from less than 1 month to 25 years, an interquartile range of 1 to 8 years, and a male/female ratio of 1.2:1.

Overall, HRVs and HEVs were identified in 16% (548 samples) and 3% (84 samples) of the ILI cases, respectively. Among the HRVs, HRV-A was the most represented species (9% of ILI cases), followed by HRV-C (6%) and HRV-B (1%). Although the number of ILI samples collected among countries varied considerably (Figure 2, lower panel) we found no statistically significant geographic differences in the proportions of HEV, HRV-A, HRV-B, and HRV-C.

Coxsackieviruses comprised the majority of the HEV group (65% of the HEVs identified), showing a variety of types: 9 for coxsackievirus A and 5 for coxsackievirus B (Figure 3). In addition, we detected multiple HEV serotypes, including EV-D68, EV-C99, EV-C104, EV-C109, and EV-B110. We also identified EV-A71 in two participants, both from the department of Tumbes, Peru, although from different cities. The first subject, a one year-old girl from the city of Tumbes (same name as the department), presented on April 27, 2011, with fever, rhinorrhea, cough, and erythema on pharyngeal examination. The second, a two year-old girl from the city of Zarumilla, presented on May 10, 2011, with fever, malaise, rhinorrhea, cough, and weight loss. Neither subject had rash, gastrointestinal manifestations, convulsions, change in consciousness, or other neurological deficits. **Lastly, two polioviruses were detected and were related to the Sabin-1 polio vaccine strain. (my emphasis)**

EXHIBIT NO.

5

Obama Approves Plan to Let Children in Central America Apply for Refugee Status

By Michael D. Shear

- Sept. 30, 2014
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WASHINGTON — President Obama has approved a plan to allow several thousand young children from Central American countries to apply for refugee status in the United States, providing a legal path for some of them to join family members already living in America, White House officials said Tuesday.

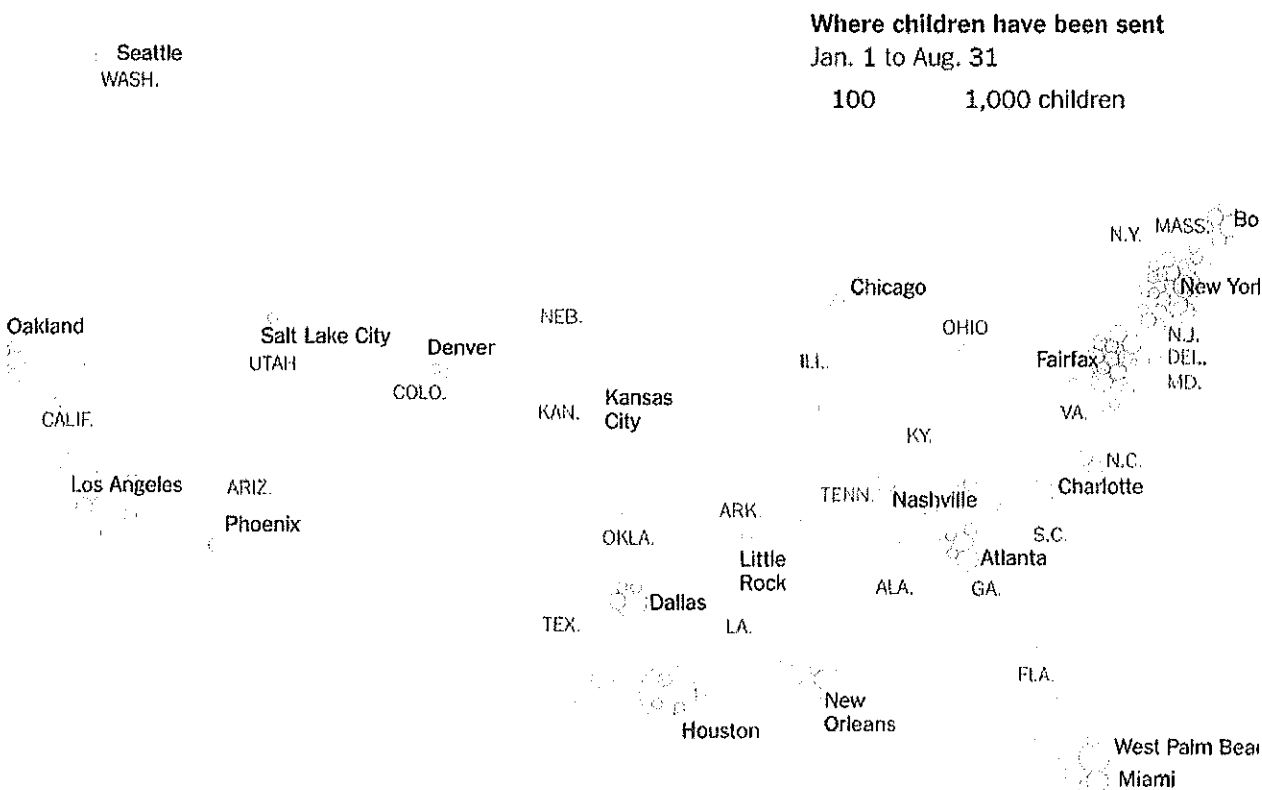
The program is aimed at helping to discourage many children from making a long, dangerous trek across Mexico in an attempt to cross into the United States and join their parents. The idea was first presented to Mr. Obama at the height of the summer's border crisis, when tens of thousands of young children from El Salvador, Guatemala and Honduras were pouring across the border from Mexico and presenting themselves to American border patrol agents as refugees fleeing from rape and gang violence.

The spike in migrations raised concerns that the journey across Mexico was often more dangerous than the rough conditions the children were fleeing in their home countries, while the images of border control centers overflowing with unaccompanied children prompted a political backlash against illegal immigration across the country.

Officials have said that the number of children crossing the border has decreased over the last two months, but White House officials said the new program should help to stem that flow even further by providing children a way to determine if they qualify as refugees without leaving their country. In June, more than 10,000 children crossed the border into the United States, according to figures from the Department of Homeland Security, but in August, that number had dropped to slightly more than 3,000 children.

“We are establishing in-country refugee processing to provide a safe, legal and orderly alternative to the dangerous journey that children are currently undertaking to join relatives in the United States,” said Shawn Turner, a spokesman for the White House. “These programs will not be a pathway for children to join undocumented relatives in the United States.”

Critics have warned that the program could encourage more immigrants to try to enter the United States at a time when the country is struggling to decide how to deal with millions who have already settled here illegally.



Children at the Border

The number of children crossing the U.S. border alone has doubled since last year. Answers to key questions on the crisis.

July 15, 2014

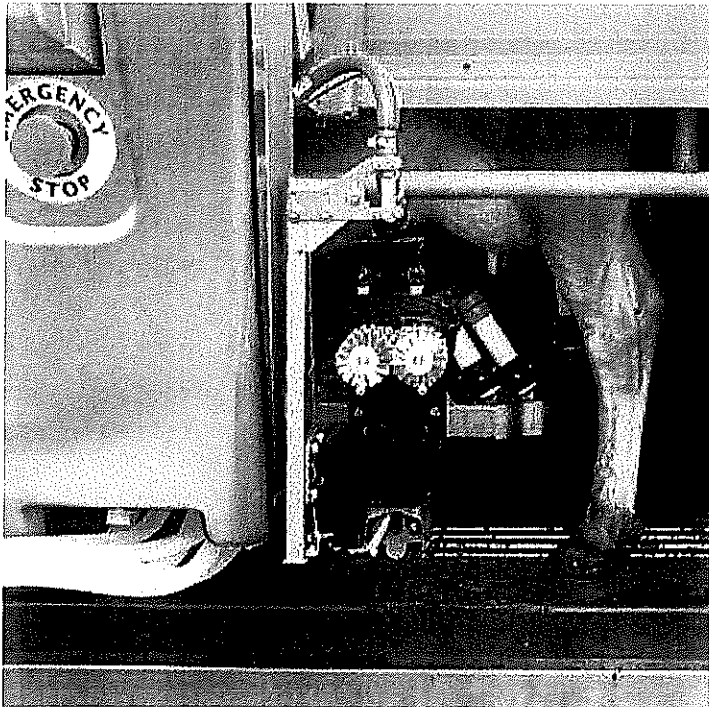
In particular, some critics object to the ease with which the children will be able to visit processing centers in their own countries to determine their eligibility for refugee status. In July, Mark Krikorian, the executive director of the Center for Immigration Studies, which supports tighter controls on immigration, predicted that “orders of magnitude more people will apply for refugee status if they can just do it from their home countries.”

Officials countered that the program did not increase the number of refugee visas that the United States would approve. In a memorandum to the State Department released Tuesday, Mr. Obama said that 4,000 of the 70,000 refugee visas should be allocated to people from Latin America and the Caribbean.

Under American law, refugees are people fleeing their country of origin based on fears of persecution by reason of race, religion, nationality, political opinion or membership in a

particular social group. The only category that would seem to apply to the children, experts have said, is the “social group” classification — in short, that the children could be considered a vulnerable group endangered by crime and violence in their countries.

Editors' Picks



Robotic Milkers and an Automated Greenhouse: Inside a High-Tech Small Farm

Processing centers in El Salvador, Guatemala and Honduras will be established, officials said. But they said that “several program parameters” were still being worked out. That could help determine what age the children must be and what dire circumstances they must face to qualify.

The idea of setting up a refugee processing center in other countries is not a novel one, though it has never been done in countries that are reachable by land to the United States. Similar plans were put into effect in Haiti, in the 1990s, and in Vietnam, after the war there prompted many Vietnamese to seek to become refugees in the United States. In both cases, American officials had sought to provide alternatives to dangerous voyages by boat.

Human rights advocates have largely praised the idea, saying the plan would help protect children who are facing rape and even death at the hands of drug trafficking gangs that have become more prevalent in some parts of Central America.

In the memorandum to the State Department, Mr. Obama also said people from Cuba, Eurasia and the Baltics, and Iraq might qualify to become refugees in the United States. But the government will not set up processing in those areas.

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A version of this article appears in print on Oct. 1, 2014, on Page A13 of the New York edition with the headline: Obama Approves Plan to Let Children Apply for Refugee Status in Central America. [Order Reprints](#) | [Today's Paper](#) | [Subscribe](#)

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